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November 28, 2007

David R. Saliwanchik

David R. Saliwanchik, Patent Attorney

ELECTION UNDER 35 USC § 121

Examining Group 1643

Patent Application

Docket No. BB-170

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Alana M. Harris

Art Unit : 1643

Applicants : Veit Krenn *et al.*

Serial No. : 10/582,697

Filed : June 13, 2006

Conf. No. : 6576

For : Use of Ligands of Specific Antigens for the Diagnosis and Treatment of Solid Tumors and Bone-Related Cancerous Diseases

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

ELECTION UNDER 35 USC §121

Sir:

In response to the written restriction requirement dated November 2, 2007, the Applicants hereby elect to prosecute the Group I claims, *i.e.* claims 1-9 and 15, drawn to the treatment of solid tumors (claims 1-9) as well as a method for producing a pharmaceutical formulation (claim 15). The Applicants further elect the species a) CDw52.

The applicants appreciate that this election of species has been required for the purposes of facilitating the search and expediting prosecution. Accordingly, the applicants respectfully submit that, upon an indication of allowable subject matter, the scope of the claims should not be limited to the elected species.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

Respectfully submitted,

A handwritten signature in black ink, reading "David Saliwanchik". The signature is fluid and cursive, with the first name "David" and last name "Saliwanchik" clearly distinguishable.

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